

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LEVEL UP HOME PROS, INC., a
Nebraska corporation;

Plaintiff,

vs.

MIDWEST FAMILY MUTUAL
INSURANCE COMPANY, an Iowa
corporation;

Defendant.

4:23CV3236

**FINAL PROGRESSION ORDER
(AMENDED)**

IT IS ORDERED that the unopposed motion to amend the final progression order, Filing No. 30, is granted. The final progression orders, Filing Nos. 18 and 26, are amended as follows:

- 1) The trial and pretrial conference will not be set at this time. A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **February 4, 2025** at **9:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is January 17, 2025.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is February 24, 2025.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is February 24, 2025.

- 5) Motions in limine shall be filed twenty-eight days before trial. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.
- 8) All deadlines not specifically amended herein remain unchanged.

Dated this 5th day of November, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge